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The situation in the Middle East

Question of Palestine

Peaceful settlement of the question of Palestine

Report of the Secretary-General

Addendum

On 8 January 2013, the following reply to the letter of the Secretary-General dated 1 July 2012 (see A/67/364-S/2012/701, para. 2) was received from the Security Council:

> "The goal of achieving a peaceful settlement of the question of Palestine remains one of the major challenges facing the international community, including the Security Council.
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> "The Security Council considers the situation in Palestine each month in connection with the item entitled 'The situation in the Middle East, including the Palestinian question'. During most months, a briefing was given either by the Under-Secretary-General for Political Affairs or by the United Nations Special Coordinator for the Middle East Peace Process in a public meeting, followed by consultations among the Council members. During the months of October 2011 and January, April and July 2012, the monthly meeting was held in the form of an open debate.
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> "On 27 September 2011, the President of the Council of Ministers of Lebanon, Najib Mikati, presided over the meeting, and Under-Secretary-General for Political Affairs B. Lynn Pascoe briefed the Council. Mr. Pascoe stated that it was not easy to chart a way forward, since the Palestinian and Israeli positions remained far apart. He added that the efforts of the Quartet and the expected proposals of the parties could help to resume negotiations. Mr. Pascoe summarized the Quartet statement of 23 September, explaining that the goals would be to make substantial progress within six months, to convene an international conference in Moscow at the appropriate time, and to reach an agreement no later than the end of 2012. He reaffirmed that settlements were

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illegal and contrary to the road map commitments of Israel and condemned the rocket attacks fired into Israel from Gaza. The Under-Secretary-General referred to the Palestinian application for membership in the United Nations. He noted that the matter was before the Council and underlined the institutional readiness of the Palestinian Authority to run a State. In the consultations that followed, Council members called upon the Palestinian and Israeli sides to refrain from taking unilateral actions that might jeopardize the peace process. Some Council members supported the application of Palestine for full membership in the United Nations and stressed the need to stop all settlement activities and resume negotiations. Some members voiced their opposition to the application of Palestine and stressed that the two-State solution could be achieved only through direct negotiations.

"On 24 October 2011, the Security Council held an open debate on the situation in the Middle East, at which it heard a briefing by Under-Secretary-General for Political Affairs B. Lynn Pascoe. He said that the recent exchange of prisoners between the Israelis and the Palestinians marked a significant humanitarian breakthrough. He encouraged the parties to display equal determination in the search for a lasting solution to the Middle East problem. Noting the Quartet statement of 23 September 2011, Mr. Pascoe urged the parties to refrain from provocations and to be ready to offer serious proposals on borders and security for negotiation in order to avoid the deepening of the impasse. Statements were made by the Permanent Representative of Israel and the Permanent Observer of Palestine. Council and non-Council members called upon the parties to seize the momentum and work towards early resumption of direct negotiations within the framework of the Quartet statement of 23 September 2011. In addition, they were encouraged to forge consensus on all permanent status issues. Several Member States expressed views on the Palestinian application for admission to United Nations membership, under consideration by the Council.

"On 21 November 2011, the Special Coordinator for the Middle East Peace Process briefed the Security Council on the situation in the Middle East, including the Palestinian question. Concerning the Middle East peace process, he considered that provocations continue to damage confidence and make resuming negotiations very difficult. He stressed the need to find a meaningful diplomatic way forward, including in the framework of the Quartet statement of 23 September. Both parties would have to show flexibility and responsibility. Direct engagement should be facilitated by a conducive environment and therefore the situation must 'de-escalate'. To that end, Israel should act on its settlement obligations and immediately unfreeze transfers to the Palestinian Authority. It should also be mindful of the continuing appeal of the Palestinian Authority for prisoners to be released, some dating back to before the signing of the Oslo Accords. For its part, the Palestinian Authority should find ways to contribute to the de-escalation of the situation and improve the prevailing divisive climate, including in the international arena. The Special Coordinator also referred to the situation in Gaza and southern Israel, which had once again witnessed dangerous violence after rocket fire by militants and Israeli strikes. He mentioned in this regard that preserving calm in Gaza and southern Israel continues to be crucial for improvements there and for the overall political atmosphere. He said that the United Nations

condemned the indiscriminate rocket attacks and called upon Israel to exercise maximum restraint and minimize the risk to civilians, and reiterated the call of the Secretary-General for all to fully respect international humanitarian law. In consultations of the whole, Council members expressed both their support for the efforts of the Quartet and their concern about the lack of progress in negotiations and the troubling developments on the ground, in particular Israel's continued settlement activity and decision to hold payments of tax revenues to the Palestinian Authority. They supported the Special Coordinator's appeal for a de-escalation of the situation and reiterated the need for all parties to abstain from provocative actions and to resume meaningful direct negotiations. Some delegations reaffirmed their support for Palestine's admission to the United Nations, while others recalled the lack of unanimity on the issue and proposed an intermediate step by upgrading the status of Palestine in the General Assembly to that of an observer State. Some members stated that there are no alternatives to direct negotiations between the parties.

"On 12 December 2011, the Security Council was briefed in closed consultations by the United Nations High Commissioner for Human Rights, Navanethem Pillay, on the situation in the Syrian Arab Republic and the occupied Palestinian territory. Some members of the Council stressed the deplorable human rights situation in the occupied Palestinian territory.

"On 20 December 2011, the Assistant Secretary-General for Political Affairs, Oscar Fernandez-Taranco, stressed that the realization of a two-State solution had not advanced, with violent incidents erupting at a worrisome rate, and outlined the efforts undertaken by the Quartet to help the parties to resume direct talks, stressing the importance of de-escalation and confidence-building between the parties. He noted recent arson attacks and acts of desecration against mosques, among other actions by Israeli extremists, and welcomed in this context the condemnation of those acts by the Prime Minister of Israel, Benjamin Netanyahu, and his intention to prevent further such incidents. The Assistant Secretary-General also voiced concern over Israeli settlement activity, violence on the part of settlers and the overall security situation in Gaza, including the firing of projectiles from Gaza into Israel. At the closed consultations that followed, members of the Council stressed the importance of resuming Israeli-Palestinian negotiations and condemned unilateral actions, in particular the construction of settlements in occupied territories, which undermined the Quartet's efforts towards a negotiable solution of the conflict.

"On 18 January 2012, in closed consultations, the Security Council received a briefing from the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordination, Valerie Amos, on the humanitarian situation in the Palestinian territories in connection with the item entitled 'The situation in the Middle East, including the Palestinian question'. In the briefing, she highlighted the humanitarian impact of all settlement activity and the escalation of violence by settlers, as well as the dire humanitarian situation in the Gaza Strip. Some Council members expressed concern about the humanitarian situation in the Palestinian territories, especially in the Gaza Strip, and criticized Israeli settlement activities and settler violence. There was also general support for the resumption of direct negotiations between the parties.

"On 24 January 2012, the Security Council held an open debate on the situation in the Middle East, including the Palestinian question. The Council heard a briefing by the Assistant Secretary-General of the Department of Political Affairs, Oscar Fernandez Taranco. The Assistant Secretary-General briefed the Council on the latest developments with regard to preparatory talks between Palestinian and Israeli negotiators, specifically the recent meetings between the parties as facilitated by Jordan in coordination with the Quartet. He also informed the Council of the continuing construction of settlements by Israel in the West Bank. He further informed the Council of the developments in the Gaza Strip, Lebanon and the Syrian Arab Republic. Following the briefing by the Assistant Secretary-General, the Permanent Observer of Palestine and the Permanent Representative of Israel addressed the Council, stating their respective positions. All members of the Council and representatives of 24 non-member States, as well as the representative of the European Union, made statements.

"Many States that participated in the debate expressed their disappointment in the fact that the peace process remained stalled and supported a return by the parties to direct negotiations. Almost all speakers welcomed the initiative of Jordan in coordination with the Quartet and expressed the hope that this initiative would be the beginning of serious talks between the parties in line with the Quartet's statement of 23 September 2011. Some speakers also expressed their support for the application of Palestine for admission to membership in the United Nations. Many States registered their concern about the continuing settlement activity in the West Bank, including in East Jerusalem, as well as settler violence. Those States called upon Israel to stop this practice, as well as home demolitions, evictions and desecration of Palestinian religious sites, and to prosecute settlers who continue to carry out violence against the Palestinians. Some States condemned the rockets fired from the Gaza Strip into Israel. Some States urged Israel to lift without delay the blockade of the Gaza Strip so as to allow space for economic activity in that area. Some States urged the Palestinians to accelerate their unity efforts. Statements were also made on behalf of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Movement of Non-Aligned Countries, the European Union, the Group of African States and the Organization of Islamic Cooperation.

"On 8 February 2012, the Secretary-General briefed the Security Council in closed consultations on his visit to the Middle East and, among other things, the Palestinian-Israeli peace process. He commended King Abdullah of Jordan for hosting talks between the parties. He informed the Council that he had urged the parties to remain engaged and take confidence-building steps, including the submission of comprehensive proposals on territory and security to create an environment conducive to negotiations, which was the only viable option for a lasting two-State solution. He noted the recent Fatah-Hamas agreement on reconciliation and said he believed that the two tracks — reconciliation and negotiations with Israel — were not mutually exclusive. He informed the Council that the President of the Palestinian Authority, Mahmoud Abbas, had told him that any Palestinian unity government would abide by previous commitments. He stressed that while in the West Bank he had noticed concrete signs of institutional development fundamental for the functioning of

a future State, the situation in Gaza was unsustainable. He also mentioned the situation of Palestinian prisoners. Some Council members called upon Israel to remove impediments to peace negotiations so as not to compromise a final and peaceful solution, including accepting discussions of the issue of Palestinian prisoners and their inspection by the International Committee of the Red Cross. The Secretary-General condemned the rockets fired from Gaza into southern Israel the night before his arrival in the region.

"On 28 February 2012, the Under-Secretary-General for Political Affairs, B. Lynn Pascoe, briefed the Security Council on the situation between the Palestinians and Israel. He said that the talks between the parties that started on 3 January in Amman had stalled. He reiterated that the framework set on 23 September 2011 by the Quartet remained relevant. He mentioned the Palestinian requirements for restarting the negotiations. He noted the agreement between the President of the Palestinian Authority, Mahmoud Abbas, and the leader of Hamas, Khaled Meshaal, to form a transitional government to be led by Mr. Abbas. The Under-Secretary-General reaffirmed that the United Nations supports Palestinian unity within the framework of the commitments of the Palestine Liberation Organization, the Quartet principles and the Arab Peace Initiative. He reiterated that the United Nations condemns indiscriminate rocket fire on Israel.

"On 27 March 2012, the Security Council held its monthly meeting on the Middle East. The Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, Robert Serry, briefed the Council at a public meeting. Council members then discussed the matter further in closed consultations. The Special Coordinator said that there was a dangerous combination of lack of political progress, instability and violence on the ground, and an increasingly precarious situation for the Palestinian Authority. The parties had not found sufficient common ground to resume direct negotiations. A continued political vacuum would threaten the achievements of Palestinian state-building. Such a vacuum would be filled by negative trends. It was essential that the Quartet assume its responsibilities when it met on 11 April. It needed to direct collective efforts towards overcoming gaps in trust and substance. In closed consultations, the Special Coordinator said that very little was happening and uncertainty was growing. The positions of the parties were far apart. There was no prospect of serious talks until the end of the year. The objective until the end of the year should be to keep the Palestinian Authority afloat. The challenge for the Quartet on 11 April was to chart a way forward that kept the prospects of a two-State solution alive. He was concerned that the principles underlying the two-State solution were being eroded, and that action was needed in order to protect the future of the two-State solution. Some members said the Council should encourage the parties to resume dialogue and to take tangible steps to improve the climate, and suggested that a visit by the Council to both Palestine and Israel could be of value. Some members expressed concern that the Council was not providing sufficient support for the Quartet's difficult work. Several members also condemned indiscriminate rocket fire from Gaza into southern Israel. Most Council members lamented the lack of progress. Many said that

time was running out for the two-State solution and that the Quartet needed to do more — including by charting a clear way forward on 11 April.

"During the Security Council open debate on 'The situation in the Middle East, including the Palestinian question' on 23 April 2012, the Under-Secretary-General for Political Affairs said that achieving peace for Israelis and Palestinians is 'an undiminished priority'. He highlighted the Quartet meeting in Washington, D.C., on 11 April and said the delivery of a letter from the President of the Palestinian Authority, Mahmoud Abbas, to the Prime Minister of Israel, Benjamin Netanyahu, on 17 April was a positive step. Most Council members expressed support for the Quartet's efforts and the letter from Mr. Abbas to Mr. Netanyahu as an opportunity to restart talks. Most Council members called Israeli settlement activity 'illegal' and argued that it undermines progress on a two-State solution. Some members condemned rocket attacks from Gaza on Israel.

"On 29 May 2012, the Security Council received a briefing at an open meeting from the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Robert Serry, followed by closed consultations. The Special Coordinator reported that the past month had been characterized by several challenging events but that each had been overcome for now and we were possibly moving in a more positive direction. He said the parties had exchanged letters in which they outlined their respective requirements for direct talks to continue. The Palestinians delivered a letter on 17 April and the Israelis responded on 12 May. The exchange was kept confidential and led to quiet direct engagement, which should be welcomed and encouraged. In parallel, however, a series of developments threatened to inflame tensions. He warned that if the parties did not grasp the current opportunity for a lasting peace, we could be moving down a path towards a one-State reality. He expressed hope that the parties would find a way forward to substantive talks in the coming months. He noted that during the reporting period settlement activity had continued, and reiterated that these actions were contrary to international law and Israel's commitments under the road map, and should stop. Turning to Gaza, he stressed that the reconstruction and economic growth in the Gaza Strip remained fundamental objectives of the United Nations. He noted that the total value of approved United Nations works in the Gaza Strip involving potential dual-use materials that required Israel's approval currently exceeded $365 million, with $96 million worth of projects still under Israeli review, adding that such projects now enabled United Nations agencies to play a major role in international efforts for priority recovery and reconstruction in Gaza.

"On 19 June 2012, during an open briefing on recent developments in the Middle East, the Assistant Secretary-General for Political Affairs, Oscar Fernandez-Taranco, stressed that sporadic clashes, military operations and announcements of settlement construction in the West Bank by Israel were challenging the positive environment created by recent fragile forward steps in the Israeli-Palestinian talks. He noted that Quartet envoys, after meeting in Brussels on 15 June, agreed that there was an urgent need for the parties to continue to pursue the current efforts towards resumed dialogue and substantive negotiations and that it was time for them to take the necessary steps towards that goal. He also reassured the Security Council that the

Secretary-General, together with the Quartet, would stress the need to renew dialogue and make real progress towards the two-State solution. He emphasized that only a direct and meaningful dialogue can help restore belief in a negotiated peace. During the closed consultations that followed, members of the Council stressed the importance of resuming Israeli-Palestinian negotiations and encouraged both sides to keep direct contact so as to maintain the positive momentum for the resumed dialogue and negotiations. Some members condemned unilateral actions, in particular the construction of settlements in occupied Palestinian territory. Some members stressed the urgency of reaching comprehensive peace in the Middle East and called for vigorous diplomatic action to attain lasting peace in the region based on an enduring commitment by the two parties to mutual recognition, the two-State solution, and building upon previous agreements and obligations. Some members emphasized the United Nations role in the Quartet to support the parties in their efforts to achieve a comprehensive, just and lasting peace in the Middle East. Several members also reiterated their support for a visit by the Council to the Middle East.

"On 2 July 2012, the Security Council held closed consultations and was briefed by the United Nations High Commissioner for Human Rights on the situation in the occupied Palestinian territory and Gaza. She mentioned that Israel's blockade of the Gaza Strip, which had entered its sixth year, was causing severe limitations on basic rights, had nearly eliminated prospects for Gaza's economic development and had created an unnecessary dependency on humanitarian assistance. At the same time, she condemned the indiscriminate rocket firing from Gaza as a blatant violation of international law. Regarding the steady expansion of Israeli settlements in the West Bank, including East Jerusalem, she indicated that such actions were clearly prohibited by international law. She expressed concern regarding violence perpetrated by Israeli settlers against Palestinians and their property. She referred to such discriminatory policies as two separate legal systems, two separate infrastructures and a series of movement restrictions that apply only to Palestinians. She pointed out that the treatment and conditions of Palestinians imprisoned or detained by Israel merited attention from the international community. Some members of the Council condemned the expansion of Israeli settlements as illegal under international law, and some also condemned the firing of rockets from Gaza. Some members of the Council expressed the urgent need for a genuine dialogue between the parties.

"On 25 July 2012, the Security Council held the quarterly open debate on the situation in the Middle East, including the Palestinian question. The Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Robert Serry, briefed the Council on recent developments in the region. He indicated that June was characterized by quiet direct exchanges between the parties in an attempt to reach agreement on a package of measures that would create an environment conducive to restarting talks and pave the way for high-level contacts. He said that Quartet envoys had remained in close contact with each other and the parties and that there had been a number of high-level visits. He expressed his concern over new settlement announcements since this represented a further violation of Israel's obligations under the road map. The Special Coordinator advised that

time was running out for the establishment of a Palestinian State living side-by-side in peace and security with Israel. He encouraged the parties to make every effort to overcome obstacles and take the necessary steps to enable an environment conducive to serious engagement. The members of the Council, the Permanent Observer of Palestine, the Deputy Permanent Representative of Israel, the Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and 22 more delegations took part in the debate. Member States stressed the importance of resuming Israeli-Palestinian dialogue and negotiations. Some members condemned the construction of settlements in the occupied Palestinian territory. Certain members called for vigorous diplomatic action to attain lasting peace in the region based on a two-State solution, and building upon previous agreements and obligations. Various members emphasized the Quartet's role in supporting the parties in their efforts to achieve a comprehensive, just and lasting peace in the Middle East."